

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

RYAN ALEXANDER-BONNEAU,

Plaintiff,

No. 3:18-cv-00156-MO

v.

OPINION AND ORDER

SAFEWAY, INC.,

Defendant.

MOSMAN, J.,

For the same reasons stated in my July 27, 2017, Opinion and Order [24], Plaintiff has not demonstrated compliance with Fed. R. Civ. P. 4. In particular, Plaintiff has failed to show compliance with Or. R. Civ. P. 7D(2)(d)(i), which requires that service by mail “shall be made by mailing true copies of the summons and the complaint to the defendant by first class mail and by any of the following: certified, registered, or express mail with return receipt requested.” Although Plaintiff claims that he mailed copies of the summons and the complaint to Defendant by express mail, he has not demonstrated that he requested a return receipt. Because Plaintiff has not provided any evidence showing that his method of service would allow him to know that Defendant received and accepted the summons and the complaint, I conclude that service was inadequate.

CONCLUSION

For the reasons stated above, I GRANT Defendant's Motion to Dismiss [26] without prejudice.

IT IS SO ORDERED.

DATED this 30 day of November, 2018.



MICHAEL W. MOSMAN
Chief United States District Judge